

"EXPRESS MAIL CERTIFICATE"
"EXPRESS MAIL" MAILING LABEL NUMBER EV000522673US
DATE OF DEPOSIT July 17, 2002

Rec'd OCT/PTO 17 JUL 2002

#6

Attorney Docket No. P32372

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP00/06938	17 July 2000	23 July 1999

US APPLICATION NO.
10/031,844

TITLE OF INVENTION
AMINOPIPERIDINE DERIVATIVES AS ANTIBACTERIALS

APPLICANT(S) FOR DO/US
David Thomas DAVIES, Andrew LIGHTFOOT, Roger Edward MARKWELL, Neil David PEARSON

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS Under 35

U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)

This is responsive to the Notification of Missing Requirements mailed on March 27, 2002 ("Notification"). A copy of the Notification is attached.

The Notification sets a period for response as the later of two (2) months from the date of the Notification or by 22 or 32 months (when 37 CFR 1.495 applies) from the application priority date, which period is extendible under the provisions of 37 CFR 1.136(a). In the accompanying transmittal cover sheet Applicants request a two (2) month extension of time from May 27, 2002, for filing this response, such that this response is timely.

The Notification directs Applicants to submit an oath or declaration in compliance with 37 CFR 1.497(a) and (b). Accordingly, Applicants submit herewith a Declaration of the inventors in compliance with 37 CFR 1.497(a) and (b).

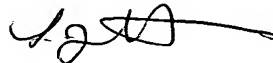
The Notification also states that the nucleotide and/or amino acid sequence disclosure contained in the application does not comply with the requirements set forth in 37 CFR 1.821-1.825. In view of the following remarks, Applicants respectfully submit that the disclosure of the present application is not required to comply with 37 CFR 1.821-1.825.

Applicants find no disclosure in the present application of an unbranched sequence of four or more amino acids, or an unbranched sequence of ten or more nucleotides. Therefore, Applicants respectfully submit that the disclosure of the present application is not required to comply with 37 CFR 1.821-1.825. See 37 CFR 1.821(a) and (b).

Authorization to charge the requisite surcharges for providing the Declaration and for extending the period for response is provided in the accompanying transmittal cover sheet.

The foregoing remarks, copy of the fully executed Declaration of the inventors, petition to extend the period for response, and authorization to charge the requisite fees is believed to be a complete and proper response to the Notification.

Respectfully submitted,



Loretta J. Henderson
Attorney for Applicants
Registration No. 37,347

GLAXOSMITHKLINE
Corporate Intellectual Property UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-6897
Facsimile (610) 270-5090
N:\Loretta\Applications\IP3s\IP32372\Missing parts.doc

428 Rec'd PCT/PTO 17 JUL 2002

PATENT
ATTORNEY'S DOCKET NUMBER P32372

TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE
(DO/EO/US) – CONCERNING A FILING UNDER 35 U.S.C 371

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP00/06938	17 July 2000	23 July 1999

TITLE OF INVENTION
AMINOPIPERIDINE DERIVATIVES AS ANTIBACTERIALS

APPLICANT(S) FOR DO/US

David Thomas DAVIES, Andrew LIGHTFOOT, Roger Edward MARKWELL, Neil David PEARSON

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date July 17, 2002 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV000522673US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Kathy Taylor
(Typed or printed name of person mailing paper)

Kathy Taylor
(Signature of person mailing paper)



20462

PATENT TRADEMARK OFFICE

Form PTO 1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER P32372
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/031,844
INTERNATIONAL APPLICATION NO. PCT/EP00/06938	INTERNATIONAL FILING DATE 17 July 2000	PRIORITY DATE CLAIMED 23 July 1999
TITLE OF INVENTION AMINOPIPERIDINE DERIVATIVES AS ANTIBACTERIALS		
APPLICANT(S) FOR DO/EO/US David Thomas DAVIES, Andrew LIGHTFOOT, Roger Edward MARKWELL, Neil David PEARSON		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
 4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
 7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13. ☐ A FIRST preliminary amendment.
 14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
 15. ☐ Please amend the specification by inserting before the first line the sentence: This is a 371 of International Application, filed.
 16. ☐ A substitute specification.
 17. ☐ A change of power of attorney and/or address letter.
 18. ☐ An Abstract on a separate sheet of paper.
 19. ☒ Other items or information: Copy of Form PCT/DO/EO/905 and a Response to Notification to Missing Requirements.

US APPLICATION NO. (if known see 37 CFR 1.50) 10/031,844		INTERNATIONAL APPLICATION NO. PCT/EP00/06938		ATTORNEYS DOCKET NO. P32372	
20. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> one month extension.....		\$ 110			
<input checked="" type="checkbox"/> two months extension.....		\$ 400			
<input type="checkbox"/> three months extension.....		\$ 920			
<input type="checkbox"/> four months extension (not beyond statutory time period).....		\$1,440			
<input type="checkbox"/> fifth month extension.....		\$1,960			
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$400.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	0	0 x \$18.00	\$0.00	
Independent claims	- 3 =	0	0 x \$84.00	\$0.00	
Multiple dependent claims (if applicable)			+ \$280.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$530.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$530.00	
Processing fee of \$130.00 for furnishing the English translation later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$530.00	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$530.00** to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application. (37 CFR 1.136 (a)(3)).

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

GLAXOSMITHKLINE

Corporate Intellectual Property - UW2220

P.O. Box 1539

King of Prussia, PA 19406-0939

Phone (610) 270-6897

Facsimile (610) 270-5090



SIGNATURE

Loretta J. Henderson

NAME

37,347

REGISTRATION NO.

n:\loretta\applications\p3\s\p32372\nat1stage2.doc

07/22/2002 LLANDERA 00000032 192570 10031844

01 FC:116 400.00 CH
02 FC:154 130.00 CH

cc: JV

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,844	David Thomas Davies	P32372

INTERNATIONAL APPLICATION NO.

PCT/EP00/06938

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

07/17/2000

07/23/1999

LJH

20462

SMITHKLINE BEECHAM CORPORATION
CORPORATE INTELLECTUAL PROPERTY-US, UW2220
P. O. BOX 1539
KING OF PRUSSIA, PA 19406-0939

CONFIRMATION NO. 8478

371 FORMALITIES LETTER



OC000000007707324

Date Mailed: 03/27/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

RECEIVED
GLAXOSMITHKLINE
2002 APR -2 A 10:08

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,844	PCT/EP00/06938	P32372